

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

THE CITY OF HUNTINGTON,

Plaintiff,

v.

CIVIL ACTION NO. 3:17-01362

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

CABELL COUNTY COMMISSION,

Plaintiff,

v.

CIVIL ACTION NO. 3:17-01665

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

ORDER

For reasons to be placed on the record forthwith, the court
ORDERS as follows:

- Defendants' Motion for Summary Judgment Re Nuisance (ECF No. 1003) is **DENIED**;
- Defendants' Motion for Summary Judgment on Proximate Causation Grounds (ECF No. 1014) is **DENIED**;
- McKesson's Motion for Dismissal on Derivative Sovereign Immunity Grounds (ECF No. 1012) is **DENIED**; and
- Plaintiffs' Motion for Summary Judgment Holding that Cardinal Health Did Not Comply with its Duties Under the Controlled Substances Act (ECF No. 1016) is **DENIED**.

The Clerk is directed to send this Order to those counsel of record who have registered to receive an electronic NEF.

IT IS SO ORDERED this 28th day of April, 2021.

ENTER:

A handwritten signature in black ink, reading "David A. Faber", is written over a horizontal line.

David A. Faber

Senior United States District Judge